

**STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.**

☐ Valuation of Security ☐ Assumption of Executory Contract or Unexpired Lease ☐ Lien Avoidance

Last Revised August 1, 2020

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

IN RE:

Case No. **19-31056**

Judge ABA

Johnston, Raymond T.

Debtor(s)

**CHAPTER 13 PLAN AND MOTIONS**

☒ Original

☐ Modified/Notice Required

Date: **May 18, 2021**

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

**The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.**

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: MSC

Initial Debtor: **RTJ**

Initial Co-Debtor:

### Part 1: Payment and Length of Plan

- a. The debtor shall pay \$200.00 per month to the Chapter 13 Trustee, starting on 12/1/2019 for approximately 60 months.
- b. The debtor shall make plan payments to the Trustee from the following sources:  
☒ Future Earnings  
☐ Other sources of funding (describe source, amount and date when funds are available):
- c. Use of real property to satisfy plan obligations:  
☐ Sale of real property  
 Description:  
 Proposed date for completion: \_\_\_\_\_  
☐ Refinance of real property  
 Description:  
 Proposed date for completion: \_\_\_\_\_  
☒ Loan modification with respect to mortgage encumbering property  
 Description:  
 Proposed date for completion: 6/30/2021
- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

### Part 2: Adequate Protection ☒ NONE

- a. Adequate protection payments will be made in the amount of \$ None to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).
- b. Adequate protection payments will be made in the amount of \$ 1204.38 to be paid directly by the debtor(s) outside the Plan, pre-confirmation to MidFirst Bank (creditor).

### Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
<b>Mark S Cherry Attorney at Law, PC</b>	Administrative Expense	<b>3,250.00</b>

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
<b>None</b>			

### Part 4: Secured Claims

**a. Curing Default and Maintaining Payments on Principal Residence: [X]NONE**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
None					

**b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: [X] NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
None					

**c. Secured claims excluded from 11 U.S.C. 506: [ X ] NONE**

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

**d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments [X] NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
None							

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim

shall discharge the corresponding lien.

**e. Surrender ☒ NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
<b>None</b>			

**f. Secured Claims Unaffected by the Plan ☒ NONE**

The following secured claims are unaffected by the Plan:

**None**

**g. Secured Claims to Be Paid in Full Through the Plan ☒ NONE**

Creditor	Collateral	Total Amount to be Paid through the Plan
<b>None</b>		

**Part 5: Unsecured Claims ☐ NONE**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*

☐ Not less than \_\_\_\_\_ percent

☒ *Pro Rata* distribution from any remaining funds

**b. Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
<b>None</b>			

**Part 6: Executory Contracts and Unexpired Leases ☒ NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
<b>None</b>				

**Part 7: Motions ☒ NONE**

**NOTE: All plans containing motions must be served on all affected lienholders, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). [ ] NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
None							

**b. Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured. [X] NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Total Amount of Lien to be Reclassified
None						

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. [X] NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

☒ Upon Confirmation  
☐ Upon Discharge

**b. Payment Notices**

Creditors and Lessors provided for in Sections 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Standing Trustee shall pay allowed claims in the following order:

- 1) **Trustee Commissions**
- 2) **Other Administrative Claims**
- 3) **Secured Claims**
- 4) **Lease Arrearages**
- 5) **Priority Claims**
- 6) **General Unsecured Claims**

**d. Post-petition claims** The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification ☐ NONE**

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 11/6/2019

Explain below <b>why</b> the Plan is being modified.	Explain below <b>how</b> the Plan is being modified.
Extend Loss Mitigation and correct Adequate protection payment	

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

**Part 10: Non-Standard Provision(s): Signatures Required**

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

**Signatures**

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, Chapter 13 Plan and Motions, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 5/18/2021

/s/ Raymond T. Johnston  
Debtor

Date:

Joint Debtor

Date: 5/18/2021

/s/ Mark S. Cherry  
Attorney for the Debtor(s)

In re:  
Raymond T. Johnston  
Debtor

Case No. 19-31056-ABA  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-1  
Date Rcvd: May 25, 2021

User: admin  
Form ID: pdf901

Page 1 of 3  
Total Noticed: 39

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
++++	Addresses marked '++++' were modified by the USPS Locatable Address Conversion System. This system converts rural route numbers to street addresses.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 27, 2021:

Recip ID	Recipient Name and Address
db	Raymond T. Johnston, 34 Abington Ave, Marlton, NJ 08053-2902
518557000	Apex Asset Management LLC, PO Box 5407, Lancaster, PA 17606-5407
518557001	Ars Account Resolution, 1643 NW 136th Ave, City of Sunrise, FL 33323-2857
518557002	Ascendium Ed Solutions, 111000 Usa Prkwy, Fishers, IN 46037
518557003	Capital Collection Ser, 20 E Taunton Rd # BILG50, Berlin, NJ 08009-2603
518557006	+ Center for Family Guidance, 765 E Route 70 Bldg A-100, Marlton, NJ 08053-2341
518557007	Complete Collection Service, 1007 N Federal Hwy # 280, Fort Lauderdale, FL 33304-1422
518557008	Cooper University Health Care, PO Box 95000-4345, Philadelphia, PA 19019
518557010	Emerg Phys Svcs, PO Box 740021, Cincinnati, OH 45274-0021
518640795	Emergency Physician Associate of S. Jersey, PO Box 1123, Minneapolis MN 55440-1123
518628415	++++ MIDFIRST BANK, GROSS POLOWY, LLC, 2500 PLAZA FIVE STE 2548, JERSEY CITY NJ 07311 address filed with court:, MidFirst Bank, Gross Polowy, LLC, 2500 Plaza 5, Suite 2548, Jersey City, NJ 07311
518899320	MidFirst Bank, KML Law Group PC, Sentry Office Plaza, 216 Haddon Avenue, Suite 206, Westmont, NJ 08108
518557013	+ Montgomery Medical Equipment, PO Box 825543, Philadelphia, PA 19182-5543
518557014	Penn Medicine, PO Box 824406, Philadelphia, PA 19182-4406
518557015	# Pro Co, PO Box 2462, Aston, PA 19014-0462
518557016	Remex Inc, 307 Wall St, Princeton, NJ 08540-1515
518557017	Remex, Inc., PO Box 765, Rocky Hill, NJ 08553-0765
518557018	South Jersey Radiology Assoc P, 20 E Taunton Rd Bldg 50, Berlin, NJ 08009-2603
518557019	U S Dept of Ed/Gsl/Atl, PO Box 5609, Greenville, TX 75403-5609
518557020	Univ of Pennsylvania Hup, Trustees UPHS HUP PP, PO Box 824406, Philadelphia, PA 19182-4406
518557022	+ Virtua Health, 100 Bowman Dr, Voorhees, NJ 08043-1596
518557021	Virtua Health, PO Box 780857, Philadelphia, PA 19178-0857
518557023	Virtua Medical Group, 2000 Crawford Pl Ste 200, Mount Laurel, NJ 08054-3954
518557024	West Jersey Anesthesia Assoc., 20 E Taunton Rd Bldg 50, Berlin, NJ 08009-2603
518556999	akron Billing Center, 3585 Ridge Park Dr, Akron, OH 44333-8203

TOTAL: 25

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	May 25 2021 20:53:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpregion03.ne.ecf@usdoj.gov	May 25 2021 20:53:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
lm	Email/PDF: ais.midfirst.ebn@americaninfosource.com	May 25 2021 21:32:04	Midland Mortgage, PO Box 26648, Oklahoma City, OK 73126-0648
518576852	Email/Text: GUARBKe-courtdocs@ascendiumeducation.org	May 25 2021 20:52:00	Ascendium Education Solutions, Inc, PO Box



District/off: 0312-1

User: admin

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Date Rcvd: May 25, 2021

Form ID: pdf901

Total Noticed: 39

518557004	Email/PDF: AIS.cocard.ebn@americaninfosource.com	May 25 2021 21:29:28	8961, Madison WI 53708-8961 Capital One Bank, 15000 Capital One Dr, Richmond, VA 23238-1119
518557005	Email/Text: bankruptcy@cavps.com	May 25 2021 20:53:00	Cavalry Portfolio Services, LLC, PO Box 27288, Tempe, AZ 85285-7288
518603465	Email/Text: ebnotifications@creditacceptance.com	May 25 2021 20:52:00	Credit Acceptance, 25505 West 12 Mile Rd., Southfield MI 48034
518729868	+ Email/Text: bankruptcy@cavps.com	May 25 2021 20:53:00	Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
518557009	Email/Text: ebnotifications@creditacceptance.com	May 25 2021 20:52:00	Credit Acceptance Corp, PO Box 5070, Southfield, MI 48086-5070
518557011	Email/Text: ecfnofices@grosspolowy.com	May 25 2021 20:52:00	Gross Polowy, LLC, 1775 Wehrle Dr Ste 100, Williamsville, NY 14221-7093
518662328	+ Email/PDF: ais.midfirst.ebn@americaninfosource.com	May 25 2021 21:32:04	MidFirst Bank, 999 NW Grand Blvd, Oklahoma City, OK 73118-6051
518557012	Email/PDF: ais.midfirst.ebn@americaninfosource.com	May 25 2021 21:32:04	Midland Mtg, PO Box 268959, Oklahoma City, OK 73126-8959
518557839	+ Email/PDF: gecsedl@recoverycorp.com	May 25 2021 21:29:24	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
518642893	Email/PDF: OGCRegionIIBankruptcy@hud.gov	May 25 2021 21:30:44	U.S. Department of Housing, and Urban Development, 26 Federal Plaza, Suite 3541, New York, NY 10278

TOTAL: 14

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
aty	*P++	GROSS POLOWY LLC, 1775 WEHRLE DRIVE, SUITE 100, WILLIAMSVILLE NY 14221-7093, address filed with court; Gross Polowy, LLC, 1775 Wehrle Drive, Suite 100, Williamsville, NY 14221

TOTAL: 0 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 27, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 18, 2021 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor MidFirst Bank dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com

District/off: 0312-1

User: admin

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Date Rcvd: May 25, 2021

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Isabel C. Balboa

on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com

Isabel C. Balboa

ecfmail@standingtrustee.com summarymail@standingtrustee.com

Julie Cascino

on behalf of Creditor MidFirst Bank jcascino@grosspolowy.com ecfnofices@grosspolowy.com

Lynn Therese Nolan

on behalf of Creditor MidFirst Bank ecfnofices@grosspolowy.com lnolan@grosspolowy.com

Mark S Cherry

on behalf of Debtor Raymond T. Johnston mc@markcherrylaw.com  
dot@markcherrylaw.com;bankruptcy@markcherrylaw.com;G9657@notify.cincompass.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7